IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Bail Appl..No. 206 of 2007()

CC.238/2000 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

.....

PETITIONER/ACCUSED

SURESH KUMAR SINGAL,
M/S.SURESH HOSIERY PVT. LTD.,
4/51, STREET NO.4, ANAND PRABHADH INDUSTRIAL
AREA, NEW DELHI.

BY ADV. SRI.SAIBY JOSE KIDANGOOR

RESPONDENTS: COMPLAINANT

---

1. STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 206 of 2007

DATED: 10th January, 2007

O R D E R

Petitioner who is the Ist accused in Crime No. 610/1998 of the Central Police Station, Ernakulam for offences punishable under Sections 78 and 79 of of the Trade and Merchandise Marks Act, 157 Section 13 of the Copyright Act, 1957 and Sec. 420, 486, 587 and 488 of I.P.C., seeks anticipatory bail.

2. The petitioner was granted bail during the crime stage. After the filing of the charge-sheet the case was registered as C.C. 238/2000 before the Chief Judicial Magistrate, Ernakulam. Eventhough the petitioner, responding to the summons had appeared before that court, subsequently he failed to appear and consequently non-bailable warrant of arrest was issued against him after cancelling his bail bond. It is at this stage hat the petitioner has approached this court by filing this application.

3. The learned Public Prosecutor opposed the application. In as much as non-bailable warrant of arrest are pending against the petitioner, anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Chief Judicial Magistrate, Ernakulam and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed after examining the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

ani